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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,759	05/02/2001	Mark J. Hall	HANBEV.002RA	6043

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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

STRIMBU, GREGORY J

ART UNIT	PAPER NUMBER
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3634

NOTIFICATION DATE	DELIVERY MODE
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07/07/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/847,759	Applicant(s) HALL, MARK J.	
	Examiner Gregory J. Strimbu	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 20, 22-24, 26-35, 56, 57 and 59-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30-32 and 35 is/are allowed.
- 6) ☒ Claim(s) 1-16, 20, 22-24, 26-29, 33, 34, 56, 57 and 59-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2010 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

Applicant's election with traverse of Group I in the reply filed on July 30, 2007 is acknowledged. The traversal is on the ground(s) that there would be no serious burden on the examiner to examine all of the claims currently in the application. In light of the prosecution history of the application, the restriction requirement has been withdrawn at this time.

Drawings

It should first be noted that figure 4 should be labeled as new since the figure is being added to the original disclosure. Applicant should submit a replacement sheet at least remedying this problem.

The drawing correction filed October 6, 2008 has been approved. The drawings filed March 22, 2010 are objected to because the framework 22b in figures 3 and 5 and the panel 10e and the fasteners 15 in figure 3 are not shown properly. In figure 3, it appears that the applicant is attempting to show the side rods 37 as a portion of the frame work 22b that extends above the panel 30. However, it appears that the side rods 37 extend a minimal distance above the panel 30 if they extend above the panel 30 at all. Thus, at a minimum, the frame work 22b extends too far above the panel 30 as shown in figure 3. Additionally, it is unclear what the structure below the rod 10a represents in figure 3. Is the applicant attempting to show that the panel 10e wraps around the rod 10a? If so, it would appear that this would be new matter. Finally, in figure 3, it appears that the fasteners are so long that they would interfere with the

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dispensing of the beverage cans. Moreover, it is unclear what structure of the shelf structure the fasteners 15 engage to support the shelf structure. Note that the holes 11 are shown larger than the outer diameter of the fasteners and there is no nut on the distal end of the fasteners to support the shelf structure. In figure 5, the frame work 22b is not shown properly because it appears that the side rods 37 extend above the rear of the frame work 26 a miniscule amount, if at all. Finally, figure 6 is objected to because reference character "10f" has no lead line.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The amendments filed March 1, 2004, October 6, 2008, and August 18, 2009 are objected to under 35 U.S.C. 132(a) because they introduce new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is:

1) the threaded fasteners 15 extending through the panels 10e and 10f as shown in figure 3. It should be noted that column 2, lines 62-64 disclose that the panels 10e and 10f could have holes. However, the specification does not support the holes themselves being threaded which is what is shown in figure 3 since the fasteners 15 have no structure projecting below the panel 10e that is capable of supporting the panel 10e, e.g. a nut. If there is no structure of the fastener that is below the panel 10e, then the fasteners must engage the holes 11 of the panels which is not supported by the original disclosure. It is suggested the applicant amend figure 3 so that the interaction of the fasteners 15 with the panel 10e is not shown.

2) the spacing between the rear edge of the shelf and the rear of the frame work 26 as shown in figure 6.

The amendment filed August 18, 2009 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

Recitations such as "a spacing defined between the upper ends of the second pair of support legs and the rearward portion of the support assembly sized so as to allow the plurality of beverage containers to be inserted between the rearward area of the shelf and the rearward portion of the support assembly" on lines 17-19 of claim 20, lines 14-17 of claim 30, lines 1-5 of claim 33. US Patent No. 6,044,983 discloses at least two different shelf embodiments, a shelf for resting on another shelf and a shelf for hanging from another shelf. The loading of the shelf from the rear only applies to the shelf embodiment which rests on another shelf. No where in the specification does 6,044,983 set forth that a shelf hanging from another shelf can be loaded from the rear. When the shelf of 6,044,983 is hung from another shelf, the shelf could be easily loaded from the front. It appears that the applicant is picking and choosing the features of two separate embodiments to create a new invention not supported by the disclosure of 6,044,983.

Additionally, recitations such as "wherein the first and second pairs of support legs are sized such that beverage containers can fit between the beverage support surface and the second crossmember and such that the forward portion hangs lower than the rearward portion when the rack is hanging, by the first and second cross members, from said shelf above the rack" on lines 22-25 of claim 20 and lines 20-21 of claim 30. Although the specification provides for the support legs having different lengths (see column 3, lines 2-6 and column 4, lines 39-45), it does not provide support for the legs having different lengths when the rack is mounted to the underside of a shelf. It should be noted that the recitation referring to the various bars and rods in

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column 4, lines 26-29, is referring to the shape and style of the bars and does not refer to the forward portion hanging lower and the rearward portion when the rack is hanging from a shelf. It appears that the applicant is picking and choosing the features of two separate embodiments to create a new invention not supported by the disclosure of 6,044,983.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

Claims 1-16, 20, 22-24, 26-29, 33, 34 and 59-61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as "the front rod member . . . defining a first plane" on lines 11-13 of claim 1 render the claims indefinite because it is unclear how the front rod member, the other rod member and the first and second panel members can all define a plane since the panel members rest on top of the rod members as shown in figure 1. Since there is no side view of the invention, it is not clear that the panel member 10e curves downward about the rod members enough to define the applicant's claimed plane. Recitations such as "whereby to carry indicia" on line 2 of claim 10 render the claims indefinite because it is unclear what element of the invention the applicant is referring to. It is unclear what element of the invention carries the indicia? Recitations such as "a portion of the framework (22b) extends at least forward of the front rod member (10a) thereon with a stop" on lines 13-14 of claim 14 render the claims

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indefinite because it is unclear what the applicant is attempting to set forth. What element of the invention has the element thereon? Recitations such as "the shelf" on line 25 of claim 20 render the claims indefinite because they lack antecedent basis. Recitations such as "a stop" on line 1 of claim 22 render the claims indefinite because it is unclear whether or not the applicant is referring to the stop set forth above. Recitations such as "a shelf" on line 20 of claim 57 render the claims indefinite because it is unclear whether or not the applicant is referring to the structure set forth above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20, 22, 23, 26 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Lockwood (US 4732282). Lockwood discloses a rack comprising:

a support assembly having a forward portion (not numbered, but shown in figure 1), a rearward portion 30 and a beverage container support surface 48 extending from the forward portion to the rearward portion and configured to support a plurality of beverage containers, the forward portion and the rearward portion spaced along a longitudinal direction of the beverage container support surface;

a first pair of support legs (not numbered, but comprising the legs of 22) having upper ends and lower ends, the lower ends connected to the forward portion at first and

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second lateral sides of the beverage support surface, the first and second sides of the beverage support surface being spaced along a lateral direction which extends transverse to the longitudinal direction, a first crossmember (not numbered, but comprising the top portion of 22) connecting the upper ends of the first pair of support legs, the first pair of support legs and the first cross member lying in a first plane; and

a second pair of support legs (not numbered, but comprising the legs of 26) having lower ends connected to the rearward portion at the first and second lateral sides of the beverage support surface, a second crossmember (not numbered, but comprising the top portion of 26) connecting upper ends of the second pair of support legs, the second pair of support legs and the second cross member lying in a second plane;

a spacing 30 defined between the upper ends of the second pair of support legs and the rearward portion of the support assembly sized so as to allow the beverage containers to be inserted into the rearward portion of the support assembly;

a stop 56 disposed at the forward portion of the support assembly, the stop including a panel 12 configured to support a label;

wherein the first and second pairs of support legs are sized such that beverage containers can fit between the beverage support surface and the second crossmember and such that the forward portion hangs lower than the rearward portion when the rack is hanging, by the first and second crossmembers, from said shelf above the rack.

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Claim 56 is rejected under 35 U.S.C. 102(b) as being anticipated by Dickson (US 3007580). Dickson discloses a shelf structure configured to rest on and engage a shelf, the shelf structure comprising:

a front member 21 and at least two other members 21, 20 rearwardly spaced from the front member and, together with the front member, defining a first plane and configured to support additional shelving above the first plane;

a framework 15 defining a second plane disposed below the first plane and configured to support a plurality of beverage containers between the first and second planes;

and at least one support (labeled above) connecting at least the front member and the framework;

wherein at least a portion of the framework (labeled above) extends at least forward of a projection of the front member, the projection including with a stop (labeled above) extending in a direction from the second plane toward the first plane; and

members 23 on the front and at least one of the other members configured to fix the framework under another structure.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in the preamble of Jepson claim 1 in view of Hickman (US 5123545) and Olson et al. (US 4426008). The preamble of Jepson claim 1 discloses one of a cooler, visi-cooler, walk-in cooler and glass-door cooler having fixed or adjustable shelves. The preamble of Jepson claim 1 is silent concerning a shelf structure.

However, Hickman, as shown in figure 4, discloses a shelf structure 60 configured to rest on and engage one of the shelves which is horizontal or inclined, the shelf structure comprising:

- a framework 66, 92 (see figures 4 and 6) defining a second plane;

- a front rod member 42 (see figure 1), at least one other rod member 42 rearwardly spaced from the front rod member, the front rod member, the at least one other rod member defining a first plane and being configured to support additional shelving above the first plane; and

- at least one support 86 connecting at least the front rod member 42 and the framework, wherein at least a portion 68 of the framework extends at least forward of the front rod member 42 and a stop 94 on the portion of the frame work that extends at least forward of the front rod member extending in a direction from the second plane toward the first plane;

- at least one member 64 connecting the front and other rod members (claim 2);

- wherein the at least one support comprises legs extending from opposite ends of the front and other rod members (claims 3, 4);

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wherein the framework comprises further rod members 92 each having a first end and a second end and extending from the first end at the stop to the second end that is rearward of a rearward most one of the at least one other rod member 42 (claims 5, 6, 7 and 8).

Additionally, Olson et al. discloses a shelf structure comprising first and second panel members 26 extending along at least a majority of rod members 20 to which they are mounted, the first and second panel members also being configured to support the shelf structure from a fixed or adjustable shelf with the shelf structure disposed below said fixed or adjustable shelf.

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art in the preamble of Jepson claim 1 with a shelf structure, as taught by Hickman, having panel members, as taught by Olson et al., to more easily dispense items from the shelves of the cooler and to more securely mount the shelf structures to one another when stacked, respectively.

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in the preamble of Jepson claim 1 in view of Hickman and Olson et al. as applied to claims 1-8 above, and further in view of Lockwood (US 4732282).

Lockwood discloses a shelf structure comprising a front panel 12 at a front side of a stop.

It would have been obvious to one of ordinary skill in the art to provide the admitted prior art in the preamble of Jepson claim 1, as modified above, with a front

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panel, as taught by Lockwood, to indicate which items are available for dispensing from the shelf structure.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood as applied to claims 20, 22, 23, 26 and 29 above, and further in view of Dickson (US 3007580). Dickson discloses first 22 and second 22 panel members connected to first 21 and second 21 cross members and threaded fasteners 27 connecting the first and second panel members to a shelf.

It would have been obvious to one of ordinary skill in the art to provide Lockwood with panel members, as taught by Dickson, to enable the rack to be mounted underneath a shelf.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood as applied to claims 20, 22, 23, 26 and 29 above. Lockwood is silent concerning the specific size of the support legs.

However, one of ordinary skill in the art is expected to routinely experiment with parameters so as to ascertain the optimum or workable ranges for a particular use. Accordingly, it would have been no more than an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill to provide the support legs with a size such that the rack can only receive said beverage containers having at least one dimension less than about 2.5 inches.

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Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood as applied to claims 20, 22, 23, 26 and 29 above, and further in view of Dickson. Dickson discloses a support assembly configured to support a plurality of parallel files of beverage containers extending between a rearward portion and a forward portion.

It would have been obvious to one of ordinary skill in the art to provide Lockwood with a plurality of parallel files, as taught by Dickson, to enable the rack to hold more containers.

Claims 57, 59 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickson in view of Lockwood. Dickson discloses a shelf comprising:

a support assembly having a forward portion (labeled below) and a rearward portion (labeled below), the support assembly defining a support surface (not numbered, but shown in figure 3) configured to support a plurality of cylindrical beverage containers;

a stop (labeled below) disposed at the forward portion of the support assembly;

first and second support portions (labeled below) disposed at the forward portion of the support assembly, the first and second support portions including upper ends, respectively, adapted to be disposed above the plurality of cylindrical beverage containers supported on the support surface;

at least first and second apertures (not numbered, but comprising the apertures for the fasteners 27) disposed adjacent the upper ends of the first and second support

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portions, respectively, the first and second apertures being configured to receive fasteners 27 for supporting the forward portion of the support assembly from a structure 32 above the support assembly, the first and second apertures being spaced rearwardly from the stop;

third and fourth support portions (labeled below) disposed at the rearward portion of the support assembly, the third and fourth support portions including upper ends, respectively;

at least a third aperture (not numbered, but shown as the aperture for the fastener 30 in figure 3) disposed adjacent the upper ends of the third and fourth support portions, respectively, the third aperture being configured to receive a fastener 30 for supporting the rearward portion of the support assembly from a shelf above the support assembly; and

wherein the third aperture is spaced from a rearward most portion 20 of the rearward portion of the support assembly such that cylindrical beverage containers can be placed onto the rearward portion of the support assembly when the third aperture is connected to a shelf disposed above the support assembly by fasteners;

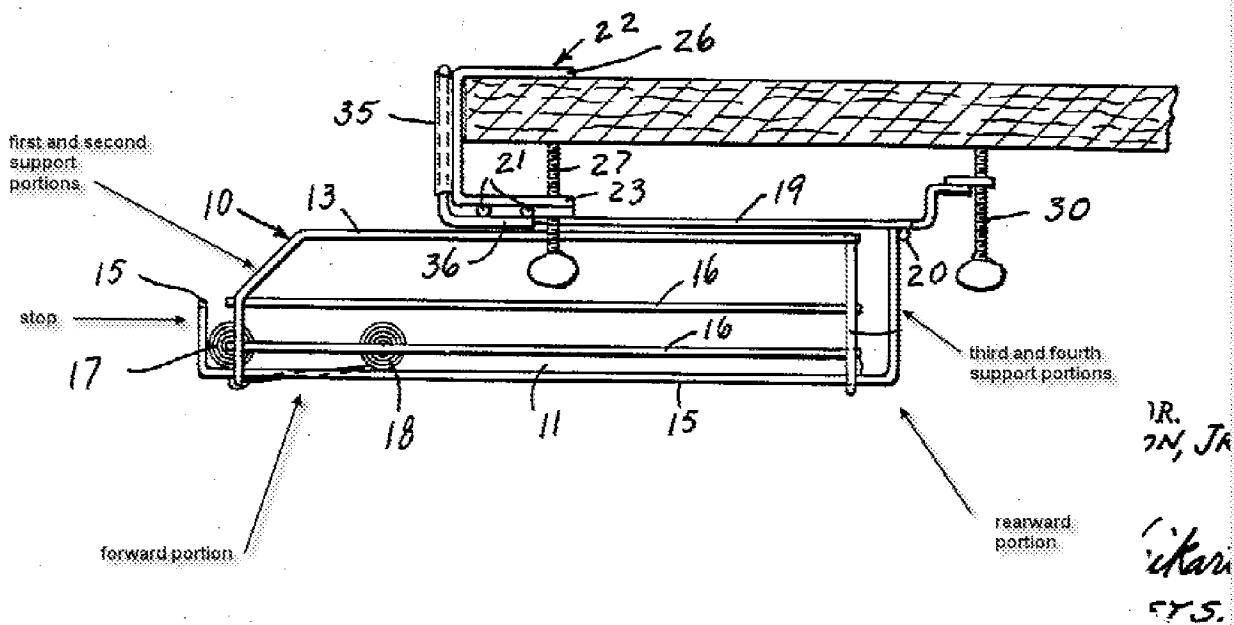
a horizontally extending plate 35 (claim 61) having apertures in the plate which receive the wire 36. Dickson is silent concerning a panel and a fourth aperture.

However, Lockwood discloses a shelf structure comprising a front panel 12 at a front side of a stop.

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It would have been obvious to one of ordinary skill in the art to provide Dickson with a front panel, as taught by Lockwood, to indicate the price of the item being dispensed from the shelf structure.

Finally, it would have been obvious to one of ordinary skill in the art to provide Dickson with a fourth aperture and fastener since it has been held that the mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.



Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dickson in view of Lockwood as applied to claims 57, 59 and 61 above, and further in view of Olson et al. Olson et al. discloses a shelf comprising a horizontally extending plate 26

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connecting two support portions 20, wherein two apertures 27 are formed in the plate 26 for receiving threaded fasteners.

It would have been obvious to one of ordinary skill in the art to provide Dickson, as modified above, with a plate having the third and fourth apertures formed therein, as taught by Olson et al., to increase the strength and stability of the shelf.

Allowable Subject Matter

Claims 30-32 and 35 are allowed.

Claims 14-16, 33 and 34 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach first and second plate members for fixing the framework under additional shelving wherein the plate members extend from the first lateral side to the second lateral side of the shelf structure. See lines 16-21 of claim 14. Additionally, the prior art of record fails to teach the first and second cross members hanging from the shelf and a spacing defined between the upper ends of the second pair of support legs and the rearward portion of the support assembly sized so as to allow beverage containers to be inserted between the rearward area of the shelf and the rearward portion of the support assembly and the first and second pairs of support legs are sized

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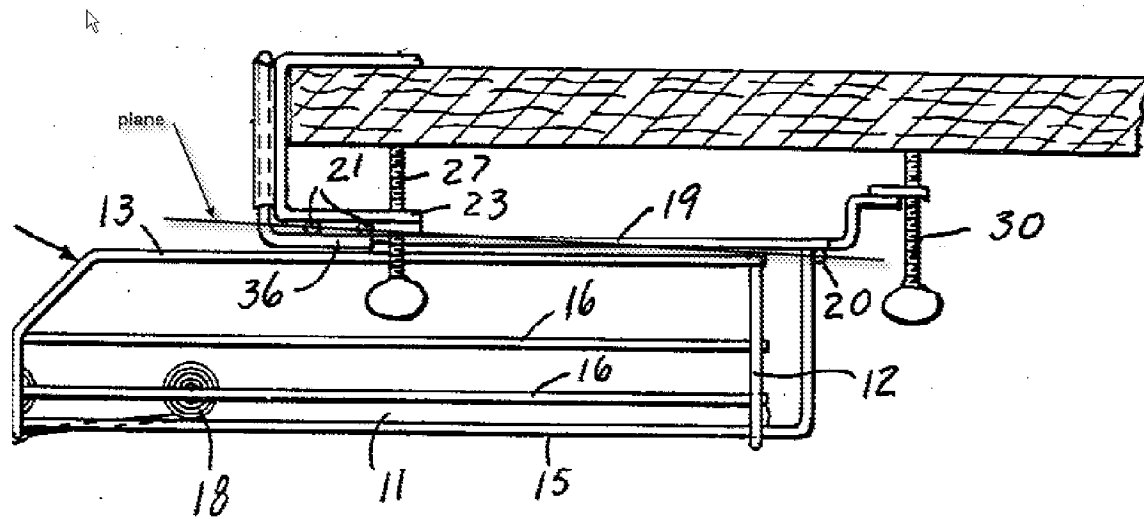
such that the support assembly is inclined relative to the shelf when the rack is hanging from the horizontal shelf. See lines 12-17 and 20-21 of claim 30.

Response to Arguments

Applicant's arguments filed March 22, 2010 have been fully considered but they are not persuasive.

Regarding the applicant's comments concerning Lockwood, the examiner respectfully disagrees. It should first be noted that claim 20 does not require the rack to hang from a shelf. Rather, claim 20 only requires that "the first and second pairs of support legs are sized such that . . . the forward portion hangs lower than the rearward portion when the rack is hanging, by the first and second crossmembers, from said shelf above the rack." Lockwood clearly meets the limitations of claim 20 since the rack is clearly capable of being fixed to the underside of a tilted shelf via the first and second cross members. Since the shelf is tilted, the forward portion would hang lower than the rearward portion so that the product disposed on the rack can be easily dispensed.

Regarding the applicant's comments concerning claim 56, the examiner respectfully disagrees. The rods 20, 21, 21 of Dickson define a plane since each of the rods defines a point and each of said points is in a plane as shown in the reproduction of figure 3 of Dickson below.



JR.

The applicant's remarks concerning claims 1-8 are moot in view of the new grounds of rejection.

Regarding the applicant's comments concerning claims 57 and 59-61, the examiner respectfully disagrees. Claim 57 does not require the fasteners to support the support assembly. In fact, claim 57 does not even require fasteners. Claim 57 only requires apertures which are capable of receiving fasteners and those fasteners are capable of supporting the support assembly. Clearly the apertures of Dickson can receive fasteners which can support the support assembly. Finally, the applicant's comments concerning placing beverage cans onto the rearward portion of the support assembly are not persuasive. Claim 57 only requires the third and fourth apertures be spaced from a rearward most portion of the rearward portion of the support assembly such that the beverage containers can be placed onto the rearward portion of the support assembly. Thus, claim 57 requires the spacing between the apertures and the

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rearward most portion be great enough to receive beverage containers. The coils 17 of Dickson do not affect the spacing taught by Dickson.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on 571-272-7069. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gregory J. Strimbu/
Primary Examiner, Art Unit 3634